Dear Jim,

5/31/74

You will have seen the AP's story on yesterday's Senate amending of the Freedom of Information law. The Post carried it this morning and you may see better stories elsewhere. I hope!

There is more to it that this account begins to indicate and in one area it can be a major step forward.

On the law itself, between the Nixon appointees and the terror, this is one of the laws that soon will be completely gutted unless Congress acts. The danger now is that Eastland will appoint conferees and he is against a good law. Watch.

Whatever the amendment is, and I don't know the language, Lesar phoned last night to report what he had heard. It seems that in order not to give signals that would have had the government mobilized, some members held secret meetings to draft the amendment in advance. Hart offered it. BMK asked if the purpose of this amendment was to legislate the end of the court's interpretation in Weisberg and a couple of other cases. He began with my spectro suit. Hart's answer was "yes." Kennedy said merely "Good" and sat down.

I take this to mean that Kennedy has to have some knowledge now. And if anyone with half a brain read any decent proportion of the record, the BMK view of assassinations should not be undergoing change. Meaning read for him.

The vote was rather good, about 5-3. The House seems inclined to change the law to its original intended purposes.

Meanwhile, the Supreme Court, which refused cert on this case, which was favorable to the government, has now given cert to two cases where the decisions in the courts below are adverse to governmental suppression under Exemption 5. This the Congress should take as a clear intent to rewrite the law entirely in the courts.

Nader's people turned against his cowardliness on this, I hear. He wanted to compromise past the danger point. They wouldn't.

The insane Livingston ploy, of which Bud, though silent, has been part, is getting no play here. I've seen no story, heard no radio report. But today I got a Vicksburg, Miss. paper where it was the major story, outplaying Jaworski and WG last Saturday.

The timing troubles me much, as much as the total insanity of the whole thing. If today's big doings didn't prevent it, as it probably did, the Supreme Court was to deliberate the Ray petition cert today and its decision would be handed down Monday.

While I was writing this Jim called after a call from a very down Bud who had just been told by Livingston that he is taking the intermediary, so-called, to see Ray Monday! We planned out what to do but there is no time for reporting it now. It amounts to Livingston goes or Jim and I do, whether or not Bud does. I have suggested that they both send E. telegrams to this effect immediately and that Jim call Ray in the a.m. and spell it all out over the phone, worrying less about intrusion that ignorance of the whole thing blowing up at the moment of imminent success.

I can't begin to explain how an experienced lawyer could go for so obvious a fake and how he could be so stupid as to leave all kinds of records, even money orders!

If it isn't a fake then it is certainly the craziest way in the world to do something like this.

While the timing is wrong for a serious approach, no purpose being served until a trial is about to start, the first approach was coincident with the Foreman deposing, all the insane stories coincide with the Supreme Court's deliberations and this Monday passes with that, too. Especially if they have not decided.

Percy Foreman has much to lose with an evidentiary hearing. He knows we have the real goods on him.

Things are not dull here. Only people. Best,